

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ROBERT S. GARNER a/k/a SCOTT  
GARNER, *individually and on behalf of all  
others similarly situated,*

Plaintiff,

v.

AXIP ENERGY SERVICES, LP,

Defendant.

Case No.4:24-CV-03300

**PLAINTIFF'S UNOPPOSED MOTION TO  
EXTEND DEADLINE FOR FILING A  
RESPONSE TO DEFENDANT'S MOTION  
TO DISMISS**

Plaintiff Robert Garner a/k/a Scott Garner (“Plaintiff”), individually and on behalf of all others similarly situated (the “Class” or “Class Members”), moves this Court for an unopposed Motion to extend his time to respond to Defendant’s Motion to Dismiss. Plaintiff respectfully requests the Court extend the time to file a responsive memorandum of law for an additional 21 days, to February 20, 2025. This is Plaintiff’s fourth request for an extension; the Court previously granted an extension of time to respond that expires January 30, 2025.

The parties have met and conferred, and Defendant Axip Energy Services, LP has stated that it agrees to this extension. Counsel for the parties have a tentative agreement and the parties believe that settlement is likely imminent and are attempting to finalize details. This stay is not sought for purposes of delay, but so that justice may be done.

Dated: January 29, 2025

Respectfully submitted,

/s/ Philip J. Krzeski

Philip J. Krzeski\*

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